

ORDINANCE C-58-65

AN ORDINANCE TO WAIVE RESIDENCE REQUIREMENTS FOR THE
DIRECTOR OF PUBLIC SERVICE OF THE CITY OF GROVE CITY,
AND TO DECLARE AN EMERGENCY.

WHEREAS, Section 1.04 of the Charter of the City of Grove City, entitled "Manner of Exercise of Powers", stated "All powers of the City shall be exercised in the manner prescribed in this Charter, or if the manner be not specifically set forth herein, then in such manner as the council may provide by ordinance. To the extent that both charter and ordinances are silent, the powers may be exercised in the manner provided by general law"; and

WHEREAS, Section 3.08 of the Charter of the City of Grove City, entitled "The Administrative Departments, Directors", is silent as to residence requirements for the Director of any department; and

WHEREAS, Ohio Revised Code Section 735.01, entitled "Director of Public Service", effective September 6, 1965, provides among others, that the Director of Public Service shall be appointed by the Mayor of the City and need not be a resident of the City but shall become a resident thereof within 6 months after his appointment, unless such resident requirement is waived by ordinance ;and

WHEREAS, THE provisions of the Grove City Charter, as to residency requirements for department directors, being silent and the provisions of the State law as recited hereabove require the Director of Public Service to be a resident of the City within six months from the date of appointment, unless waived by ordinance; and

WHEREAS, due to the silence of the Grove City Charter and the specified provisions of Ohio Revised Code Section 735.01 have created a conflict and ambiguity that ought to be clarified and such directly affects the public welfare and safety.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Grove City, State of Ohio, that

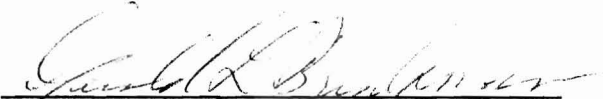
SECTION 1. The Director of the Department of Public Service need not be a resident of the City and such resident requirement, as provided by Section 735.01 of the Ohio Revised Code is hereby waived.

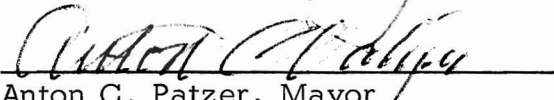
SECTION 2. That for reasons stated in the preamble hereto and made a part hereof, this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor.

SUBMITTED Dec. 6, 1965

PASSED Dec. 6, 1965

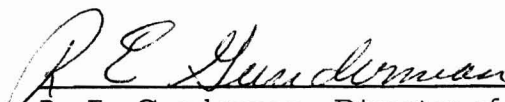
EFFECTIVE Dec. 6, 1965


Gerald L. Brinkman, President of Council


Anton C. Patzer, Mayor


Maria T. Kochensparger, Clerk of Council

I Certify that this Ordinance is Correct as
to Form.


R. E. Gunderman, Director of Law